

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	Case No. 19-34054-sgj11
	§	
HIGHLAND CAPITAL MANAGEMENT,	§	
L.P.,	§	Chapter 11
	§	
Debtor	§	

OFFICIAL COMMITTEE OF	§	
UNSECURED CREDITORS,	§	
	§	
Plaintiff,	§	Adversary No. 20-03195
	§	
vs.	§	
	§	
CLO HOLDCO, LTD., CHARITABLE	§	
DAF HOLDCO, LTD., CHARITABLE	§	
DAF FUND, LP, HIGHLAND DALLAS	§	
FOUNDATION, INC., THE DUGABOY	§	
INVESTMENT TRUST, GRANT JAMES	§	
SCOTT III IN HIS INDIVIDUAL	§	
CAPACITY, AS TRUSTEE OF THE	§	
DUGABOY INVESTMENT TRUST, AND	§	
AS TRUSTEE OF THE GET GOOD	§	
NONEXEMPT TRUST, AND JAMES D.	§	
DONDERO,	§	
	§	
Defendants.	§	

DECLARATION OF MARK PATRICK

I, Mark Patrick, hereby declare as follows:

1. My name is Mark Patrick, and I am over the age of 21. I have personal knowledge of the facts set forth herein, and make this declaration pursuant to 28 U.S.C. § 1746.
2. I am the managing member of the sole general partner of Charitable DAF Fund, L.P. which is the owner of CLO HoldCo, Ltd., and as well I am the control person of CLO HoldCo Ltd.

3. I have reviewed the *Stipulation and Order Regarding Registry Funds and Dismissal of Motion for Preliminary Injunction* (the “Stipulation and Order”) and make this Declaration in support of the entry of the Stipulation and Order.¹
4. As set forth in the Stipulation and Order, upon receipt of the Registry Funds, CLO HoldCo intends to transfer the Registry Funds up through its affiliates to the Highland Dallas Foundation (“HDF”). HDF intends the Registry Funds to be used as follows: in accordance with certain grant requests (“Grant Requests”) from (i) The Family Place, the largest domestic violence services provider in Texas, seeking One Million Dollars (\$1,000,000) in funding to rebuild and fully restore services to the emergency shelter facilities damaged by the February 2021 winter storm and to provide long-term funding for the nursing staff in the emergency shelter’s onsite medical clinic, and (ii) the Dallas Children’s Advocacy Center (“DCAC”), an agency that coordinates critical services for the most severe child abuse cases in Dallas County, seeking One Million Dollars (\$1,000,000) in funding to fill funding gaps created by a decrease in public funding and by pandemic-related fundraising challenges and to expand forensic interview capacity and related services to accommodate the recent increase in cases, which stems in part from DCAC’s increased collaboration with local law enforcement agencies in investigating and prosecuting abuse cases and providing support for victims of child abuse and their non-offending family members. True and correct copies of these Grant Requests are attached hereto as **Exhibit 1** and **Exhibit 2**, respectively. Further, I am aware that HDF intends to contribute to The Dallas Foundation the remaining Registry Funds through the HDF Grant (approximately Three Hundred Eighty-Eight Thousand Five Hundred Forty-Eight and No/100ths dollars (\$388,548)) to help seed The Dallas Foundation’s Racial Equity Fund, which aims to use collective influence and resources to advance equity for Black and Hispanic residents of the Dallas area through focused grantmaking to nonprofits and advocating for actionable policies.
5. Further, I am aware that Mr. Matthew Randazzo (President and Chief Executive Officer of The Dallas Foundation) and another key member of The Dallas Foundation’s executive team (Julie Diaz, Executive Vice President and Chief Operating Officer) are The Dallas Foundation’s appointees to the HDF Board (comprised of three (3) members). Mr. Randazzo and Ms. Diaz comprise a majority of the HDF Board, and have determined that upon the issuance of an order from this Court and the receipt by HDF of the amount of CLO HoldCo Funds, a formal meeting will be conducted to the extent necessary and the majority of the HDF Board has determined to approve the HDF Grant. I am also aware that Mr. Randazzo is authorized to represent and has represented that The Dallas Foundation, upon receipt of the HDF Grant, has approved the HDF Grant and the Grant Requests.

¹ Capitalized terms not otherwise defined herein take their meaning from the Stipulation and Order, except that Registry Funds as defined in the Stipulation and Order is referred to herein as the CLO HoldCo Funds..

6. CLO HoldCo will maintain interests in real property assets of an unencumbered value of at least the amount of the Registry Funds, and I will provide a quarterly certification to counsel for the Trust confirming the maintenance of the CLO Asset Value.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on September 27, 2021

/s/ Mark Patrick

Mark Patrick